



## **CITY OF WARWICK**

**JOSEPH J. SOLOMON, MAYOR**

---

**City of Warwick Planning Board  
Meeting Minutes  
Wednesday, April 11, 2018**

**Members Present:** Valerie Bataille  
Benny Bergantino  
Steve Catalano  
Cynthia Gerlach  
Steve Horowitz  
Philip Slocum  
Sue Stenhouse

**Members Absent:** James Desmarais  
Vincent Gambardella

**Also in Attendance:** Patricia Reynolds, Assistant Principal Planner  
Diana Pearson, City Solicitor  
Eric Hindinger, Engineering Project Manager

Chairman Slocum called the meeting to order at 6:07 p.m.

**Public Hearing**  
**Request for a Recommendation to the City Council for**  
**Comprehensive Plan Amendment**

**Owner/Applicant:** Harrington Realty, LLC  
**Location:** Benefit Street  
**Assessor's Plat:** 244  
**Assessor's Lots:** 48 and 50  
**Existing Classification:** Industrial  
**Proposed Classification:** Residential-High  
**Ward:** 8  
**Surveyor:** James G. Flynn, Flynn Surveys. Inc.

Mr. John Shekarchi, ESQ, represented the Applicant, Terry Harrington of Harrington Realty, LLC, who was requesting to amend the FLUM, specifically for Assessor's Plat 244, Assessor's Lots 48 and 50. The FLUM classifies the intended use for these lots as "Industrial." The Applicant is seeking to revise the intended use to "Residential - High" to reflect the existing residential use on the parcel.

If given a favorable recommendation, the Applicant will then seek a recommendation for a zone change for Assessor's Plat 244, Assessor's Lots 48 and 50, from Light Industrial (LI) to Residential A-7, with waivers, and approval of the Master Plan phase of a Major Subdivision, to subdivide Assessor's Plat 244, Assessor's Lot 48 into two (2) lots, one (1) lot with an existing single family dwelling, and one (1) lot to provide for the construction of a new single-family dwelling. The Applicant is also proposing to construct a new single-family dwelling on the undeveloped abutting lot, Assessor's Plat 244, Assessor's Lot 50, an existing lot to have less than required lot area, lot frontage and lot width in a Residential, A-7 zone.

Mr. Shekarchi explained that the Applicant purchased the parcel out of receivership and, after doing research, determined that it was an unusual situation of a single family dwelling being located in an industrial zone. Given the residential character of Benefit Street, the Applicant felt it would be irresponsible to construct an industrial use on the parcel. The Applicant met with the neighbors who expressed a preference for new, single-family homes on the parcel, and not commercial or industrial structures. The Applicant's consultant, Mr. Ed Pimental prepared a land use report to confirm this information. Mr. Harrington presented an example of Mr. Harrington's work, a recently constructed house, a colonial style that he felt would fit nicely in the neighborhood. Mr. Shekarchi stated that the proposal meets burden of a unique situation.

Mr. Shekarchi stated that the abutter to the left, a business owner (61 Gilbane Street, veterinarian) had reached out to ask for consideration of three items:

1. That there be no blocking of access to his site for tenants and patients.
2. That there be a 6' fence installed along the common property line to provide privacy.
3. That the new property owners be responsible for the maintenance of the fence.

Mr. Frank Paolino of Link commercial properties, an abutter, had reached out to the Applicant's representative and expressed concerns with the introduction of new residential uses in such close proximity to the existing industrial zone. Mr. Shekarchi explained that the Applicant has agreed to include language on the deeds for each of these properties regarding this matter, notifying the new residential property owners that they are abutting an area of previously existing industrial influence.

Mr. Slocum stated his main concern with the project is related to the grade change at the rear of the parcel and potential safety issues, but that he was satisfied that this will be covered with the installation of fencing. Ms. Stenhouse asked for clarification regarding the type of fencing and was assured that this was a solid fence and not construction fencing and that it will be placed on all sides of the project, with the exception of along the street frontage.

Ms. Bataille asked about the zoning of the property. Mr. Shekarchi replied that the dwelling is currently a preexisting non-conforming use on one of the lots. Ms. Bataille asked about the proposed number of lots and how that relates to the average size of the lots in the area now? Mr. Shekarchi responded that this information is detailed in the report provided by Mr. Pimental and included in their packets. Planning staff explained that the existing zoning on the other side of the street from the proposal is Residential, A10, a medium density residential designation. The lots are predominately comprised of smaller lots that were combined to more closely conform to the

A-10 zoning. The proposed classification of high density residential will provide for a transition from the A-10, medium density residential zoning to the abutting industrial area.

Mr. Slocum asked when the existing house was last occupied. One of the neighbors, Mr. Daniel Thurston, answered that it has been vacant for approximately three years. Being no further testimony, Ms. Stenhouse, seconded by Mr. Catalano, made a motion to open the Public Hearing. All voted in favor, none opposed.

Mr. Donald Winfield, of 33 Benefit Street, which he explained is located on the lower portion of Benefit Street. He asked if there has been any opposition to the proposal. Staff responded that an abutter from the industrial area had contacted the Planning Department for information, but after some discussion, he was satisfied with the inclusion of a stipulation of a deed notification. Mr. Winfield stated that it in his opinion, the construction of an industrial use on that parcel would devalue the existing homes on the street.

Mr. Winfield explained that there has been trouble in the neighborhood with people parking on the street, but that he is generally in favor of the project and in support of the residential use.

Mr. Kenneth Abrams, a veterinary profession located the abutting property, 61 Gilbane Street, wanted to ensure that the fence, as requested, was included in the planning decision. Mr. Slocum explained that the Applicant has agreed to install the fence, as requested, along the property line between his property and the project and that it has been included in the record of the meeting.

Mr. Daniel Thurston, 83 Benefit Street, stated that he is generally in favor of the project. He asked if there will there be any abatement required when the existing house is renovated, either asbestos or lead. Mr. Harrington responded that a licensed abatement professional will be contracted to evaluate and address any necessary abatement.

Being no further questions, a motion was made by Ms. Stenhouse, seconded Mr. Bergantino to close the Public Hearing. All voted in favor, none opposed.

Mr. Slocum explained that there needs to be three (3) separate votes taken on this project, one on the Comprehensive Plan Amendment (Future Land Use Map), one on the proposed zone change from Industrial to Residential A-7, and one on the Master Plan for the development project subdividing Assessor's Plat 244, Assessor's Lot 48. The relevant information on all three aspects of the proposal was included in the presentation and all of these components have been discussed in the course of the hearing.

The Planning Department Findings and Recommendations regarding the Comprehensive Plan /Future Land Use Map amendment were included in the record, and were as follows.

**Planning Department Findings  
Comprehensive Plan Amendment (FLUM)**

1. That the Applicant has provided an analysis, prepared by Edward Pimentel, entitled Rezone and Comprehensive Plan Amendment, 52 Benefit Street, and dated March 7, 2018,

evaluating the proposed Comprehensive Plan amendment and rezoning of Assessor's Plat 244, Assessors Lots 48 and 50, which concludes:

*"...this Planning Consultant professionally believes that the Planning Board should not have any reservation in forwarding a positive recommendation to the Warwick City Council in regard to the requested zone change/comprehensive plan amendment. The proposed changes are purely for the purpose of realizing retention of an appropriate land use, considering its long-standing presence. It will also afford neighborhood preservation and protection."*

2. That the proposal is generally consistent with the City's Comprehensive Plan, specifically with Chapter 12, Future Land Use, Section E, General Principles to Guide Future Land Use, which calls for preserving existing, predominantly single-family neighborhoods, and limiting commercial intrusion into residential neighborhoods.

That Benefit Street is in close proximity to Apponaug Village, an area rezoned in 2011 to promote mixed use development, with areas of supportive residential uses. The recently completed RIDOT Circulator project provides safe pedestrian access from Benefit Street to Apponaug Village, consistent with the General Principal of Chapter 12, Future Land Use of the City's Comprehensive Plan, to promote land use configurations that increase connectivity and walkability, and consistent with the goals of the City Council approved Village Zoning (2011).

However, the proposal is not consistent with the Future Land Use Map (FLUM) of the City of Warwick, Comprehensive Plan 2033, therefore requiring City Council approval of a map amendment reclassifying the future land use from "Industrial" to "Residential-High."

3. That there are no apparent textual inconsistencies between the proposal and the Comprehensive Plan.
4. That the City's Comprehensive Plan was adopted in 2013. The Future Land Use Map (FLUM) reflects the preferred or acceptable pattern of land use.
5. That The FLUM classifies the future land use for these two (2) lots (Assessor's Plat 244; Assessor's lots 48 and 50), as "Industrial" reflecting the existing zoning on the parcel, and not the existing, long-standing residential use on Assessor's lot 48 or the residential use and zoning of the surrounding neighborhood.
6. That the existing zone line delineating the boundary between the Light Industrial (LI) zone and the Residential A-10 zone bisects Benefit Street, allowing for incompatible uses to be located on opposite sides of the same roadway.
7. That there is a Planned District Residential (PDR) zone within the 200' radius (Assessor's Plat 244, Assessor's Lot 13) of the proposal, with 5 buildings on one lot containing 25 multifamily units.

8. The existing single-family dwelling, Assessor's Plat 244, Assessor's lot 48, is listed in the Tax Assessor's records as an "old style," one and a half story, 1,440 sf foot building, constructed circa 1900. That as part of the proposal, the Applicant is proposing to restore this dwelling.
9. That the existing dwelling was constructed prior to the establishment of Warwick's first zoning ordinance in 1931.
10. That City zoning records indicate that in 1945, Assessor's Plat 244; Assessor's lots 48 and 50 were zoned Residential "B", a residential zoning designation.
11. That the proposed development parcel fronts on Benefit Street. That Benefit Street is predominantly residential in character. The residential structures on Benefit Street were constructed between 1900 and 1987. (See attached Exhibit A.)
12. That the travel-way width of Benefit Street is approximately 20 feet. The City's *Development Review Regulations, Section D.2 Subdivision Design, Section D.2.1 Streets*, states that industrial subdivisions shall not contain travel-way widths of less than 30 feet. The existing 20' travel-way width of Benefit Street is approximately 33 percent less than what is required for an industrial use. The roadway is improved to approximately 250' beyond the proposed development parcel.
13. That the existing dwelling, Assessor's Plat 244, Assessor's lot 48, is now located on a parcel rezoned "Light Industrial." *Use Code 101. Detached single-family dwelling unit* is listed in the *Warwick Zoning Ordinance, TABLE 1. USE REGULATIONS* as "NO, the use is prohibited within the district so designated."
14. The existing dwelling, Assessor's Plat 244, Assessor's lot 48, does not conform to the dimensional requirements of either a Light Industrial (LI) or Residential, A-7 zone, having less than required front setback.
15. That in the analysis prepared by Edward Pimentel, dated March 7, 2018 and entitled *Rezone and Comprehensive Plan Amendment, 52 Benefit Street*, he contends that the limited combined land area of Assessor's Plat 244, Assessor's lots 48 and 50, would not support the development components necessary to realize the successful introduction of most industrial land uses, to include building footprint and required setback, off-street parking and loading, dumpster and landscape buffers
16. The abutting industrial land uses are situated to the east of the proposed development area and are accessed by frontage on Gilbane Street and were primarily constructed in 1980's, with the earliest structure constructed circa 1965 (See Exhibit A.)
17. That there is a grade change of approximately 30' at the rear (easterly) property line of Assessor's Plat 244; Assessor's lots 48 and 50, providing a natural geographic separation between the industrial uses and the elevated residential uses on Benefit Street (See Exhibit B).

18. That the reclassification on the FLUM of Assessor's Plat 244, Assessor's lots 48 and 50 will not only reflect the existing use on the parcel and existing uses in the vicinity, but will also provide a transition of intensity from the existing industrial uses to the area of Residential, Medium.

**Recommendation to the City Council**  
**Request for a Comprehensive Plan Amendment**

The Planning Department recommendation is to forward a favorable recommendation to the City Council for the requested Comprehensive Plan Amendment, with the following stipulations:

1. That the Applicant shall include in the application to the City Council a proposed, revised Future Land Use Map (FLUM), clearly indicating the area and change of classification from Industrial to Residential-High.
2. That, if the Comprehensive Plan Amendment is approved, the Applicant shall seek approval from the City Council for a zone change from Light Industrial to Residential, A-7 on Assessor's Plat 244, Assessor's lots 48 and 50.

A motion was made by Ms. Stenhouse, and seconded by Mr. Catalano to adopt the Planning Department findings and stipulations as read into the record and forward a favorable recommendation to the City Council for the requested Comprehensive Plan/Future Land Use Map amendment. Seven (7) voted in favor, none opposed.

The Planning Department Findings and Recommendations regarding the Master Plan for the land development project of Assessor's Plat 244, Assessor's lots 48 and 50 were included in the record, and were as follows.

**Planning Department Findings**

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's *Development Review Regulations*, and that this proposal meets the Standard Provisions of RIGL 45-23-60, and makes the following findings of fact:

1. That the proposal is generally consistent with the City's Comprehensive Plan, specifically with *Chapter 12, Future Land Use, Section E., General Principles to Guide Future Land Use*, which calls for preserving existing predominantly single-family neighborhoods, and limiting commercial intrusion into residential neighborhoods.

That Benefit Street is in close proximity to Apponaug Village, an area rezoned in 2011 to promote mixed use development, with areas of supportive residential uses. The recently completed RIDOT Circulator project provides safe pedestrian access from Benefit Street to Apponaug Village, consistent with the General Principal of *Chapter 12, Future Land Use* of the City's *Comprehensive Plan*, to promote land use configurations that increase connectivity and walkability and consistent with the goals of the City Council approved Village zoning.

The proposal is not consistent with the Future Land Use Map (FLUM) of the City of Warwick, *Comprehensive Plan 2033*, therefore requiring City Council approval of a map amendment changing the classification from Industrial to Residential-High.

2. That the proposal is not in compliance with the standards and provisions of the City's Zoning Ordinance therefore requiring City Council approval for a zone change from Light Industrial to Residential A-7, with dimensional waivers as follows:

Less than required	AP244, AL50 (Proposed Lot 1)	AP244, AL 48 (Proposed Lot 2)	AP244, AL 48 (Proposed Lot 3)
Lot area	<b>X</b>	<b>X</b>	<b>X</b>
Lot frontage	<b>X</b>	<b>X</b>	<b>X</b>
Lot width	<b>X</b>	<b>X</b>	<b>X</b>
Front setback		<b>X (existing)</b>	<b>X</b>

3. Both Assessor's Plat 244, Assessors lots 48 and 50 are currently zoned Light Industrial, with an existing, long standing residential use on Assessor's lot 48. That the existing zone line delineating the boundary between the Light Industrial (LI) zone and the Residential A-10 (a medium density residential zone) bisects the east and west sides of Benefit Street, allowing for incompatible uses to be located on opposite sides of the same roadway. There is a Planned District Residential (PDR) zone within the 200' radius of the proposal with 25 multifamily units. Rezoning of lots 48 and 50 will not only reflect the long standing, existing use on the lot and in the vicinity, but will also provide a transition of intensity from the existing industrial uses to the area of medium density, Residential, A-10 zoning.
4. That there are no indications of significant negative environmental impacts from the proposed development at the Master Plan phase.
5. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

The limited land area of the parcel, in conjunction with LI zoning and development requirements, would make most industrial reuses of this parcel impracticable.

6. That the proposed development possesses adequate access to a public street, Benefit Street.
7. That public water is provided by Kent County Water Authority, and municipal sewer service is available to this parcel.

### **Planning Department Recommendations**

Planning Department recommendation is to grant Master Plan approval, with the following stipulations:

1. That the parcel shall receive City Council approval of a map amendment to Future Land Use Map of the City of Warwick, Comprehensive Plan 2033, (*Comprehensive Plan*), changing the intended future use classification of the parcel from “Industrial” to “Residential, High Density.”
2. That the proposal is shall receive City Council approval for a zone change from Light Industrial to Residential A-7, with dimensional waivers as follows:

Less than required	AP244, AL50 (Proposed Lot 1)	AP244, AL 48 (Proposed Lot 2)	AP244, AL 48 (Proposed Lot 3)
Lot area	<b>X</b>	<b>X</b>	<b>X</b>
Lot frontage	<b>X</b>	<b>X</b>	<b>X</b>
Lot width	<b>X</b>	<b>X</b>	<b>X</b>
Front setback		<b>X (existing)</b>	<b>X</b>

3. That all Plans shall comply with “Rules and Regulations for Professional Land Surveying in the State of Rhode Island”, effective date November 25, 2015.
4. That the Applicant shall submit a Preliminary Plan and Record Plat that comply with Appendix C. Preliminary Application, of the Development Review Regulations governing Subdivisions, Land Development Projects and Development Plan Review, Effective January 1, 1996; last amendment dated March 14, 2001. The following comments and recommendations shall be incorporated into the Preliminary Plan submission:
  - a. The lowest floor elevation of all buildings (including the basements) must be at least 3 feet above the maximum high ground water elevation to help prevent the intrusion of groundwater.
  - b. If accurate, add a notation to the Preliminary plan that there are no wetlands within 200 feet of the proposed development area.
  - c. That the plan shall delineate existing and proposed utilities.
  - d. That the far side of the roadway edge shall be indicated on the plan.
  - e. That the proposed top of foundation elevation shall be indicated on the site plan.
  - f. That monumentation shall be installed in accordance with the City of Warwick Development Review Regulations. All property corners shall be marked by permanent monumentation (granite bound, iron pin, iron pipe, etc.). At least one corner of each proposed lot shall be identified with a granite bound.
  - g. That the Owner/Applicant shall be responsible for the final restoration of the roadway.
5. That a Storm Water Management Plan shall be submitted in accordance with Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, and designed to demonstrate a zero-net run off from the proposed development. No additional runoff shall be directed to abutting properties or to the City Rights of Way.



6. That the Operation and Maintenance Plan for the proposed Stormwater collection system shall be included in the Preliminary submission.
7. That prior to Preliminary submission, the Applicant shall coordinate with the Sewer Authority and Kent County Water Authority.
8. That, prior to Preliminary Approval, the Applicant's RI Licensed Landscape Architect shall provide a landscape plan that includes, but is not limited to:
  - Fencing along the easterly property line of all three parcels.
  - Note the preservation and protection of existing mature trees along Benefit Street that do not require removal for the proposed development.
  - Note one (1), 2" to 2 1/2" caliper deciduous shade tree for every 50 feet of lot frontage along Benefit Street. This number may be reduced if there are existing mature trees in good condition that can be preserved and protected during construction.
  - Preservation of trees in close proximity to abutting lots.
  - Prior to beginning the Landscape Plan, the Project Landscape Architect shall contact the City's Landscape Plan Reviewer.
9. That the Applicant shall remove the section of the stockade fence encroaching on Assessor's Plat 244, Assessor's Lot 46.
10. That as part of the Preliminary submittal, the Applicant shall provide verbiage to be included on the recorded deeds for the newly created and rezoned Parcels 1, 2 and 3, (formerly Assessor's Plat 244, Assessor's Lots 48 and 50) stating that said parcels were rezoned to residential from industrial and as such are subject to all of the nuisances associated with said abutting industrial district.

A motion was made by Ms. Bataille and seconded by Ms. Stenhouse to adopt the Planning Department findings and stipulations as amended to include the stipulation that privacy fencing shall be installed along the side and rear property lines. Seven (7) voted in favor, none opposed.

The Planning Department Findings and Recommendations regarding the requested zone change for Assessor's Plat 244, Assessor's lots 48 and 50, from Light Industrial to Residential, A-7, with waivers for less than required lot area, frontage and width, and structures with less than required front setback, were accepted into the recorded and were as follows:

### **Planning Department Findings**

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements of the City's Development Review Regulations, and,

1. That the proposal is generally consistent with the City's Comprehensive Plan, specifically with Chapter 12, Future Land Use, Section E., General Principles to Guide

Future Land Use, which calls for preserving existing predominantly single-family neighborhoods, and limiting commercial intrusion into residential neighborhoods.

That Benefit Street is in close proximity to Apponaug Village, an area rezoned in 2011 to promote mixed use development, with areas of supportive residential uses. The recently completed RIDOT Circulator project provides safe pedestrian access from Benefit Street to Apponaug Village, consistent with the General Principal of Chapter 12, Future Land Use of the City's Comprehensive Plan, to promote land use configurations that increase connectivity and walkability and consistent with the goals of the City Council approved Village zoning.

However, the proposal is not consistent with the Future Land Use Map (FLUM) of the City of Warwick, Comprehensive Plan 2033, therefore requiring City Council approval of a map amendment changing the future land use classification from "Industrial" to "Residential, High Density."

2. That the existing zone line delineating the boundary between the Light Industrial zone and the Residential A-10 zone bisects Benefit Street, allowing for incompatible uses to be located on opposite sides of the same roadway.
3. That the existing land uses on Benefit Street are predominately residential in character. The residential structures were constructed between 1900 and 1987; the industrial structures were primarily constructed in the 1980's. Please see attached map for dates of construction, Exhibit A.
4. That there is a Planned District Residential (PDR) zone within the 200' radius of the proposal, with 5 buildings on the parcel (Assessor's Plat 244, Assessor's Lot 13) containing 25 multifamily units.
5. That the existing single-family dwelling, Assessor's Plat 244, Assessor's lot 48, is listed in the Tax Assessor's records as an "old style," one and a half story, 1,440 sf foot building, constructed circa 1900. That as part of the proposal, the Applicant is proposing to restore this dwelling.
6. That the existing dwelling was constructed prior to the establishment of Warwick's first zoning ordinance in 1931.
7. That City zoning records indicate that in 1945, Assessor's Plat 244; Assessor's lots 48 and 50 were zoned Residential "B", a residential zoning designation.
8. That the existing dwelling, Assessor's Plat 244, Assessor's lot 48 is on a parcel currently zoned "Light Industrial." Use Code 101. Detached single-family dwelling unit is listed in the Warwick Zoning Ordinance, TABLE 1. USE REGULATIONS as "NO, the use is prohibited within the district so designated."

9. The existing dwelling, Assessor's Plat 244, Assessor's lot 48, does not conform to the dimensional requirements of either a Light Industrial or Residential, A-7 zone, having less than required front setback.
10. That the travel-way width of Benefit Street is approximately 20 feet. The City's Development Review Regulations, Section D.2 Subdivision Design, Section D.2.1 Streets, states that industrial subdivisions shall not contain travel-way widths of less than 30 feet. The existing 20' travel way width of Benefit Street is approximately 33 percent less than what is required for an industrial use. The roadway is improved to approximately 250' beyond the proposed development parcel.
11. That the abutting industrial land uses are situated to the east of the proposed development area and are accessed by Gilbane Street.
12. That there is a grade change of approximately 30' at the rear (easterly) property line of Assessor's Plat 244; Assessor's lots 48 and 50, providing a natural geographic separation between the industrial uses and the elevated residential uses on Benefit Street (See Exhibit B).
13. That the limited land area of the parcel as it is currently zoned, in conjunction with the development requirements for most industrial uses, would prove to be impracticable for the development of Assessor's Plat 244, Assessor's lots 48 and 50 for many industrial uses.
14. That the rezoning of Assessor's Plat 244, Assessor's lots 48 and 50 will not only reflect the existing use on the parcel and existing uses in the vicinity, but will also provide a transition of intensity from the existing industrial uses to the area of medium density, Residential, A-10 zoning.
15. That the City's Engineering Division, Water Department, Conservation Commission, Historic District Commission, Cemetery Commission and Land Trust have reviewed the proposal and have no objection to the proposed zone change

The Planning Department also finds this proposal to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
  - A.) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.

E.) The availability and capacity of existing and planned public and/or private services and facilities.

F.) The need to shape and balance urban and suburban development

- 103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe and sanitary housing, including opportunities for the establishment of low and moderate income house.
- 103.10 Promote a high level of quality in design in the development of private and public facilities.
- 103.11 Promote the implementation of the Warwick Comprehensive community plan, as amended.

### **Planning Department Recommendation**

The Planning Department recommends forwarding a favorable recommendation to the City Council for the requested Zone Change from Light Industrial to Residential A-7, with waivers as indicated below:

Less than required	AP244, AL50 (Proposed Lot 1)	AP244, AL 48 (Proposed Lot 2)	AP244, AL 48 (Proposed Lot 3)
Lot area	<b>X</b>	<b>X</b>	<b>X</b>
Lot frontage	<b>X</b>	<b>X</b>	<b>X</b>
Lot width	<b>X</b>	<b>X</b>	<b>X</b>
Front setback		<b>X (existing)</b>	<b>X</b>

And with the following stipulations:

1. That the Applicant shall provide verbiage to be included on the recorded deeds for the newly created and rezoned parcels 1, 2 and 3, (formerly Assessor's Plat 244, Assessor's Lots 48 and 50) stating that said parcels were rezoned to residential from industrial and as such are subject to all of the nuisances associated with said abutting industrial district.

A motion was made by Ms. Stenhouse and seconded by Mr. Bergantino to adopt the Planning Department findings and stipulations as read into the record and forward a favorable recommendation to the City Council for the requested Zone change from Light Industrial to Residential A-7, with the requested waivers. All voted in favor, none opposed.

The Administrative officer's reported information was reviewed.

A motion to adjourn was made at 6:45pm by Ms. Stenhouse and seconded by Mr. Horowitz. All voted in favor, none opposed.

